

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RELAUNCH, LLC,

Plaintiff,

v.

PC TREASURES, INC., et al.,

Defendants.

No. C 05-0697 PJH

**ORDER GRANTING DEFENDANT'S  
MOTION FOR SUMMARY JUDGMENT  
IN PART AND DENYING IT IN PART**

The motion of defendant PC Treasures, Inc., for partial summary judgment came on for hearing before his court on May 17, 2006. Plaintiff appeared by its counsel Todd Hedin, and defendants appeared by their counsel Brian Wilson. Having read the parties' papers and carefully considered their arguments and the relevant legal authority, and good cause appearing, the court hereby GRANTS the motion in part and DENIES it in part as follows for the reasons stated at the hearing.

The motion for summary judgment on the first cause of action for breach of contract is DENIED. The court finds that the contract is susceptible to more than one interpretation, and that the extrinsic evidence provided by plaintiff and the ambiguity regarding "sales" create a triable issue.

The motion for summary judgment on the second and third causes of action is GRANTED as unopposed.

**IT IS SO ORDERED.**

Dated: May 18, 2006



PHYLLIS J. HAMILTON  
United States District Judge